

REMARKS

In the Office Action of December 11, 2004, the Examiner indicated that claims 12-15 are allowable and that claims 11 and 25 were objected to as containing allowable subject matter but being dependent on a rejected base claim. Further, in the Office Action, the Examiner rejected claims 1, 2, 6, and 8 under 35 U.S.C. § 102(b) based on U.S. Patent No. 5,163,052 to Evans et al. ("Evans"); rejected claims 3, 4, 5, 7, and 16-22 under 35 U.S.C. § 103(a) in view of Evans; and rejected claims 9, 10, 23, and 24 under 35 U.S.C. § 103(a) in view of Evans and further in view of pages 415 and 475 of The Microsoft Press Computer Dictionary (1997) .

By this Amendment, Applicants have amended claims 1, 11, 16, and 25 to more appropriately define the invention. Claims 1-25 remain pending.

Claim 1, as amended, now recites, among other things, "a plurality of processors implemented on at least two circuit boards, each of the plurality of processors implementing diagnostic access functions before the processor is fully on-line." Claim 1, as now amended, recites features similar to the features recited in claim 11, which was indicated as containing allowable subject matter. Applicant submits that Evans fails to disclose or suggest the combination of features of amended claim 1. Accordingly, the rejection of this claim under 35 U.S.C. § 102(b) should be withdrawn. The rejection of claims 2, 6, and 8 under 35 U.S.C. § 102(b) should also be withdrawn, at least by virtue of their dependency from claim 1.

Claims 3, 4, 5, 7, and 16-22 stand rejected under 35 U.S.C. § 103(a) in view of Evans. Independent claim 16, as amended, now recites, among other things, "a packet forwarding engine having a plurality of circuit boards each including at least one

processor and a receiver/driver circuit associated with each of the processors, each of the processors configured to implement low-level diagnostic access functions before the packet forwarding engine is fully on-line.” Claim 11, as amended, recites features similar to the features recited in claim 25, which was indicated as containing allowable subject matter. Applicant submits that Evans fails to disclose or suggest the combination of features of amended claim 11. Accordingly, the rejection of this claim under 35 U.S.C. § 103(a) should be withdrawn. The rejection of claims 17-22 under 35 U.S.C. § 103(a) should also be withdrawn, at least by virtue of their dependency from claim 11. Similarly, the rejection of claims 3, 4, 5, and 7 in view of Evans should also be withdrawn, at least by virtue of their dependency from claim 1.

Dependent claims 9, 10, 23, and 24 stand rejected under 35 U.S.C. § 103(a) in view of Evans and further in view of The Microsoft Press Computer Dictionary. Applicant submits that this reference fails to cure the above-noted deficiencies in the disclosure of Evans. Thus, the rejection of claims 9, 10, 23, and 24 is improper and should be withdrawn, at least by virtue of their dependency from claims 1 and 16.

In view of the foregoing amendments and remarks, Applicant respectfully requests the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 CFR 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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